

Report on Medicare Compliance Volume 30, Number 8. March 01, 2021 Telehealth Risks Come into Focus; Some Payers Don't Cover Audio-Only

By Nina Youngstrom

After the 2021 Medicare Physician Fee Schedule extended coverage of many telehealth services until the end of the public health emergency (PHE), including audio-only visits by physicians and nonphysician practitioners, UofL Health in Louisville, Kentucky, was informed that one of its commercial insurers wouldn't be jumping on that bandwagon. Some commercial payers insist on real-time audiovisual technology for telehealth services to qualify for reimbursement, said Shelly Denham, senior vice president of compliance, risk & audit services. "It's a challenge," she said. "I thought the whole idea is to not make it burdensome to provide telehealth services. We are put in a bad situation when it comes to navigating telehealth" because payers have different rules.

Because it's a matter of a negotiated contract with a commercial payer versus a regulation, however, there's always room for discussion. UofL hopes to persuade the commercial payer to recognize and reconsider its position on audio-only telehealth services. "It's still evolving," Denham said.

These are the kinds of challenges that led UofL to create a telehealth service line and hire a full-time executive director. "We are looking to grow the service line because of COVID-19 and the public health emergency," she said. "We see opportunities for growth in rural areas," which will continue when the PHE ends because Medicare coverage of telehealth is limited by the originating site and rural area requirements without the PHE. The originating site requirement restricts coverage to services delivered to patients at hospitals and other provider locations (not patient homes), and the rural area requirement limits coverage to counties outside a metropolitan statistical area or in a rural health professional shortage area. Only Congress can eliminate these requirements, and several bills have been proposed to that effect. During the PHE, however, Medicare pays for telehealth services in all corners of the country and in patients' homes.

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